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Before the  
**FEDERAL COMMUNICATIONS COMMISSION**  
 Washington, D.C. 20554

JAN 24 1998

FEDERAL COMMUNICATIONS COMMISSION  
 OFFICE OF THE SECRETARY

In The Matter of	)	
	)	MM Docket No. 97-234
Implementation of Section 309(i)	)	
of the Communications Act	)	
Competitive Bidding for Commercial	)	
Broadcast and Instructional Television)	)	
Fixed Service License	)	
	)	
	)	
Reexamination of the Policy	)	GC Docket No. 92-52
Statement on Comparative	)	
Broadcast Hearings	)	
	)	
Proposals to Reform the Commission's	)	GEN Docket No. 90-
264	)	
Comparative Hearing Process to	)	
Expedite the Resolution of Cases	)	

## COMMENTS OF BRANTLEY BROADCAST ASSOCIATES

SEE ATTACHED

Brantley Broadcast Associates ("Brantley") is a licensee and permittee of small market broadcast stations. It is gravely concerned about some of the points the Commission is considering in the above captioned docket. To be specific the idea of filing windows for AM Broadcast facilities is an idea which shows both promise and/or a complete deterrent to the future development of the AM band. Presently AM stations are at a distinct disadvantage to the FM band pertaining to the development of existing facilities or the application for new facilities when it requires modifications to existing stations. In order for an AM station to be improved where that approval requires modifications of existing stations, the existing station must first receive authority for the modification and make the modification before other applications can be considered. Any applications filed before the station seeking modification is completed is considered a contingent application. Whereas, in the FM band all changes related to an FM facilities improvement can be laid out in its entirety during a rule making process.

The present process used by the Commission for AM applications where the modification of one station is predicated on the modification of another is cumbersome at best. However, if this process is made to conform to a unscheduled periodic filing window, all future development inside the AM band will be eliminated. The Commission could rectify this problem by allowing an applicant to submit a scenario which involves

proposed changes to multiple AM facilities with one filing during a window. If any part of the scenario is in conflict or mutually exclusive with other applications received during the filing window, those conflicts would be subject to auction or the bidding process.

By submitting an entire AM development scenario where all parties to that scenario are in complete agreement and have signed the appropriate supporting documentation, the Commission eliminates the present hazardous contingent application and at the same time increases the possibility of conflict between the scenario and other applicants resulting in additional auction participants.

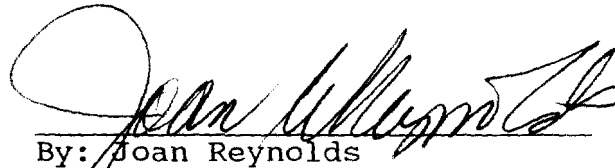
By adopting the above approach in a filing window the Commission is assured of increased activity in the AM band which has been stagnant and under the proposed rules will provide little if any conflicting applications.

Brantley strongly urges the Commission to consider the adoption of rules which modify the present AM filing procedure. A periodic filing window would be an excellent procedure, if the filing of a complete development scenario was allowed.

**CERTIFICATION**

I, Joan Reynolds, Owner of Brantley Broadcast Associates do hereby verify that the statements contained in these Comments in MM Docket 97-234 are true and correct to the best of my knowledge and belief. I represent that this Petition is not filed for the purpose of impeding, obstructing or delaying determination on any applications or petitions with which it may be in conflict.

Respectfully Submitted,  
BRANTLEY BROADCAST ASSOCIATES

  
By: Joan Reynolds  
Proprietor

This 25 Day of January, 1998

Brantley Broadcast Associates  
415 North College Street  
Greenville, Alabama 36037